



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hurmiz *et al.*

Appl. No.: 10/705,922

Filed: November 13, 2003

Confirmation No.: 7303

Art Unit: 2171

Examiner: Metjahic, S.

Atty. Docket: 0656.0650000

**For: System And Method for Defining
and Collecting Data in an
Information Management System
Having a Shared Database**

First Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. Document Nos. _____ was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report as Document No. AN3 that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 6. A concise explanation of the relevance of the non-English language document appears below in accordance with 37 C.F.R. § 1.98(a)(3):
- Document AJ2 (DE 699 03 808 T2) appears to describe a clinical trial data management system and method. Document AJ2 is a German counterpart to U.S. Patent No. 6,820,235, which is listed as document AC3.
- ☒ 7. Copies of documents AJ1-AR1, AJ2, AK2, and AN2-AR2 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.

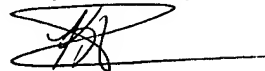
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). _____ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



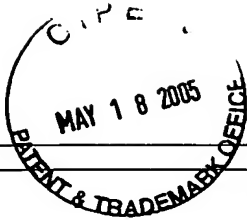
Kendrick P. Patterson
Attorney for Applicants
Registration No. 45,321

Date: _____

May 18, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

370489_1.DOC



FORM PTO-1449

**FIRST SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT**

ATTY. DOCKET NO.
0656.0650000

APPLICATION NO.
10/705,922

INVENTORS

Hurmiz *et al.*

FILING DATE

November 13, 2003

ART UNIT

2171

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	5,325,478	06/1994	Shelton <i>et al.</i>			
	AB1	5,606,609	02/1997	Houser <i>et al.</i>			
	AC1	5,660,176	08/1997	Iliff			
	AD1	5,666,490	09/1997	Gillings <i>et al.</i>			
	AE1	5,737,730	04/1998	Shirley <i>et al.</i>			
	AF1	5,772,585	06/1998	Lavin <i>et al.</i>			
	AG1	5,813,009	09/1998	Johnson <i>et al.</i>			
	AH1	5,826,237	10/1998	Macrae <i>et al.</i>			
	AI1	5,893,109	04/1999	DeRose <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ1	WO 97/44752	11/1997	WO			N/A
	AK1	WO 98/12669	03/1998	WO			N/A
	AL1	WO 98/39720	09/1998	WO			N/A
	AM1	981670	02/1998	ZA			N/A

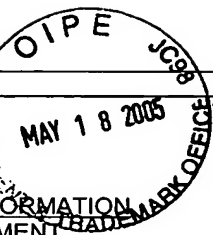
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AN1	Harlan, William R., Creating an NIH clinical trials registry: A user-friendly approach to health care, JAMA, Chicago, Jun. 8, 1994, vol. 271, issue 22, start p. 1729.
	AO1	Van Camp, Ann J., Databases for nurses: Special subjects, Database, Weston, Feb. 1994, vol. 17, issue 1, start p. 103.
	AP1	Oliver, Dick et al., Netscape Unleashed, 1996 Sams.net Publishing, pp. 118-121, 376-379.
	AQ1	Sauer, F. et al., Multimedia technology in the radiology department, ACM International Multimedia Conference, Oct. 15-20, 1994, pp. 263-269.
	AR1	Kiuchi, T. et al., "Automated generation of a World Wide Web-based data entry and check program for medical applications," <i>Computer Methods and Programs in Biomedicine</i> 52:2 pps. 129-138 (Feb. 1997).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449

Page 2 of 3

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2171

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	5,973,731	10/1999	Schwab			
	AB2	5,991,731	11/1999	Colon <i>et al.</i>			
	AC2	5,997,476	12/1999	Brown			
	AD2	6,022,315	02/2000	Iliff			
	AE2	6,029,138	02/2000	Khorasani <i>et al.</i>			
	AF2	6,108,635	08/2000	Herren <i>et al.</i>			
	AG2	6,149,585	11/2000	Gray			
	AH2	6,218,122	04/2001	Friend <i>et al.</i>			
	AI2	6,272,506	08/2001	Bell			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ2	DE 699 03 808 T2	09/2003	DE			No
	AK2	EP 1 082 693 B1	11/2002	EP			N/A
	AL2						Yes No
	AM2						Yes No

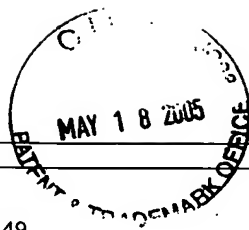
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AN2	Kelly, M.A. <i>et al.</i> , "The Internet and randomised controlled trials," <i>International Journal of Medical Informatics</i> 47:1-2 pps. 91-99 (1997).
	AO2	"Multi-State Button Manipulation using a Single Graphic," <i>IBM Technical Disclosure Bulletin</i> 38:4 pps. 585-587 (Apr. 1995).
	AP2	"Efficient 3D Buttons in Dynamic Hyper Text Markup Language Pages," <i>IBM Technical Disclosure Bulletin</i> 41:1 pps. 695-698 (Jan. 1998).
	AQ2	Girgensohn A. <i>et al.</i> , "Seamless integration of interactive forms into the Web," <i>Computer Networks and ISDN Systems</i> 29:8-13 pps. 1531-1542 (1997).
	AR2	Netscape Communications Corp.: "NetHelp" Nethelp Release 1.0 SDK Documentation, Online! -Aug. 1996 pps. 1-14 <URI:http://home.netscape.com/eng/help/sdk/sdksite.html>.

EXAMINER

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**FIRST SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT**ATTY. DOCKET NO.
0656.0650000APPLICATION NO.
10/705,922INVENTORS
Hurmiz *et al.*FILING DATE
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2171**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA3	6,415,295	07/2002	Feinberg			
	AB3	6,496,827	12/2002	Kozam <i>et al.</i>			
	AC3	6,820,235	11/2004	Bleicher <i>et al.</i>			
	AD3	2004/0230592 A1	11/2004	Fischer <i>et al.</i>			
	AE3	2004/0243439 A1	12/2004	Huggard <i>et al.</i>			
	AF3						
	AG3						
	AH3						
	AI3						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ3						Yes No
	AK3						Yes No
	AL3						Yes No
	AM3						Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AN3	
	AO3	
	AP3	
	AQ3	
	AR3	

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Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr.
Lawrence B. Bugalsky
Michael V. Messenger
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Patrick E. Garrett
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Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
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Timothy A. Doyle
Gaby L. Longworth
Lori A. Gordon
Nicole D. Dretar
Ted J. Ebersole
Jyoti C. Iyer
Laura A. Vogel

Michael J. Mancuso
Bryan S. Wade
Aaron L. Schwartz
Michael G. Penn
Shannon A. Carroll
Wesley W. Jones
Matthew E. Kelley
Nicole R. Kramer

Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford

Michelle K. Holoubek
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse
Christopher J. Walsh
Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey Mills

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
*Admitted only in Virginia
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May 18, 2005

WRITER'S DIRECT NUMBER:

(202) 772-8628

INTERNET ADDRESS:

KENDRICK@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2171

Re: U.S. Utility Patent Application No. 10/705,922; Filed: November 13, 2003
For: **System And Method For Defining And Collecting Data In An Information Management System Having A Shared Database**
Inventors: Hurmiz *et al.*
Our Ref: 0656.0650000

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement;
2. Form PTO-1449 listing thirty-nine (39) documents and accompanied by sixteen (16) documents; and
3. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Kendrick P. Patterson
Attorney for Applicants
Registration No. 45,321

KPP/sjc
Enclosures

391344_1.DOC

Sterne, Kessler, Goldstein & Fox P.L.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skpf.com